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*Proposed Counsel for the
Official Committee of Unsecured Creditors*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
In re: Chapter 11

BH SUTTON MEZZ LLC, Case No.: 16-10455 (SHL)

Debtor.
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**NOTICE OF APPEARANCE AND REQUEST FOR
SERVICE OF PAPERS BY WESTERMAN BALL EDERER
MILLER ZUCKER & SHARFSTEIN, LLP AS PROPOSED COUNSEL
TO THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS**

PLEASE TAKE NOTICE that Westerman Ball Ederer Miller Zucker & Sharfstein, LLP (“**WBEMZS**”) hereby appears as proposed counsel for the Official Committee of Unsecured Creditors (the “**Committee**”), in the above-captioned case. Pursuant to section 1109(b) of the Bankruptcy Code and Bankruptcy Rules 2002 and 9010(b), request is hereby made that all notices given or required to be given and all pleadings, motions, applications, and papers served or required to be served in this case be given to and served upon the following address:

WESTERMAN BALL EDERER MILLER ZUCKER & SHARFSTEIN, LLP

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PLEASE TAKE FURTHER NOTICE that pursuant to section 1109(b) of the Bankruptcy Code, the foregoing demand includes not only the notices and papers referred to in the above-mentioned Bankruptcy Rules, but also includes, without limitation, all orders, applications, motions, petitions, pleadings, requests, complaints or demands, whether formal or informal, written or oral, transmitted or conveyed by mail delivery, telephone, facsimile or otherwise, in this case.

This notice of appearance shall not be interpreted as, or deemed to be, a consent to electronic service or notice by electronic transmission in this case. The Committee and WBEMZS expressly do not consent to such service unless permitted by Court Order. If, at any time, the Committee determines to receive electronic service of documents or notice by electronic transmission in this case, it will make the appropriate request in writing in accordance with Bankruptcy Rule 9036.

This Notice of Appearance and any subsequent appearance, pleading, claim, or suit is not intended nor shall be deemed to waive the Committee's: (i) right to have final orders in non-core matters entered only after *de novo* review by a district court judge, (ii) right to trial by jury in any proceedings so triable herein or in any case, controversy or proceeding related hereto, (iii) right to have the reference withdrawn by the United States District Court in any matter subject to mandatory

or discretionary withdrawal, (iv) right to object to the jurisdiction of this Bankruptcy Court for any purpose other than with respect to this Notice, (v) right to make an election of remedy, (vi) right to receive notice and service of hard copies or “paper” documents, as compared to electronic service or (vii) other rights, claims, actions, defenses, setoffs or recoupments to which the Committee is or may be entitled under agreements, at law, or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments are hereby expressly reserved.

Dated: Uniondale, New York
March 24, 2016

WESTERMAN BALL EDERER
MILLER ZUCKER & SHARFSTEIN, LLP

By: /s/ Thomas A. Draghi
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*Proposed Counsel for the
Official Committee of Unsecured Creditors*